

February 15, 2012

**MINUTES OF A REGULAR MEETING OF  
THE TORRANCE PLANNING COMMISSION**

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:00 p.m. on Wednesday, February 15, 2012 in City Council Chambers at Torrance City Hall.

**2. SALUTE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Rizzo.

**3. ROLL CALL/ MOTIONS FOR EXCUSED ABSENCE**

Present: Commissioners D'Anjou, Gibson, Polcari, Rizzo, Uchima, Weideman and Chairperson Skoll.

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Gomez, Plans Examiner Noh, Associate Civil Engineer Symons, Sr. Fire Prevention Officer Kazandjian, and Assistant City Attorney Sullivan.

**4. POSTING OF THE AGENDA**

Planning Manager Lodan reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, February 9, 2012.

**5. APPROVAL OF MINUTES – None.**

**6. REQUESTS FOR POSTPONEMENTS – None.**

**7. ORAL COMMUNICATIONS #1 – None.**

**8. TIME EXTENSIONS – None.**

**9. SIGN HEARINGS – None.**

**10. CONTINUED HEARINGS – None.**

**11. WAIVERS – None.**

Chairperson Skoll reviewed the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

## **12. FORMAL HEARINGS**

### **12A. PRE12-00002: KELLY HAMM (HAKIM EMAD)**

Planning Commission consideration for approval of a Precise Plan of Development to allow a new two-story, single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 169 Via Pasqual.

**Recommendation:** Approval.

Planning Associate Gomez introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the agenda item was completed.

Commissioner Uchima announced that he was abstaining from consideration of this item because he lives within the notification area and exited the dais.

Commissioner Weideman disclosed that he visited 202, 203 and 210 Via Pasqual and 301 Via Mesa Grande, but came to no final conclusions.

Chairperson Skoll disclosed that he had a telephone conversation with Sally Mathews (210 Via Pasqual) and briefly discussed the letter written by her and husband that was included in the agenda material, however he reached no conclusion.

Kelly Hamm, Coastal Creations Home Design, project designer, stated that he met with neighbors before beginning the design process to discuss their concerns and subsequently designed a home that meets the needs of his client while being respectful of the neighborhood. He briefly described the proposed project, noting that while it is considered a two-story, it's more like a one-story over a basement, with approximately 1800 square feet dug into the hillside to mitigate the impact on neighbors. He advised that the property owner was also proposing to remove a large tree in the front yard to improve view corridors. He thanked neighbors for their willingness to work with him and expressed the hope that the process will remain amicable.

Commissioner Rizzo noted that the neighbors at 203 Via Pasqual (Erik and Beth Higgins) have expressed concerns about the height of the entry tower/turret at the southeast corner of the property, and Mr. Hamm stated that he has discussed this with the Higgins and is willing to lower the roofline 12-18 inches in this area which should take care of their concern.

Commissioner Weideman asked if the silhouette reflects this change, and Mr. Hamm indicated that it does not. He explained that his goal in erecting the silhouette was to solicit comments from neighbors and then work further with them.

Commissioner Weideman asked about the large tree next to the one the property owner has offered to remove, and Mr. Hamm indicated that he was not sure whether the tree was on the neighbor's property or a utility easement.

Commissioner Gibson noted that the staff report recommends that the exterior staircase be redesigned as an internal staircase due to the potential that the lower floor bedroom could be used as a separate unit, which is not permitted in the Hillside Overlay.

Planning Manager Lodan advised that staff subsequently learned that the exterior staircase is required per the Building Code to comply with access requirements so it must remain in place and that the applicant has agreed to replace the doorway in the lower level bedroom with a window in order to address this issue.

Bill Mathews, 210 Via Pasqual, stated that he's strongly opposed to the proposed project because it violates the Hillside Ordinance. He related his understanding that the tree the applicant has offered to cut down is a City tree and questioned whether it could be cut down arbitrarily.

Planning Manager Lodan advised that in order to remove a City tree, a permit must be obtained from the Public Works Department. Mr. Mathews voiced his opinion that the view-blocking tree should be removed along with the tree next to it.

Chairperson Skoll noted that Mr. Mathews mentions in his letter that TMC §91.41.10 states that "no enlargement in any building shall be higher than before remodeling," but his letter neglects to include the rest of this Code section which indicates that the existing height may be exceeded if the Planning Commission (or City Council on appeal) makes certain findings.

Blake Albrecht, 202 Via Pasqual, noted that he sent a letter detailing his concerns about the project (supplemental material). He stated that he was mainly concerned that the height of the structure might exceed the height of the silhouette thereby causing additional view blockage. He indicated that he was also concerned because the structure appears to be much closer to the street than other homes in the area. He related his belief that removing the two trees would be a big improvement.

Gerri Everest, 301 Via Mesa Grande, voiced objections to the proposed project due to the impact on her ocean view, noting that the silhouette is sagging in the area that most affects her so the true impact is not clear. She reported that the house has been on the market for four or five years and Mr. Hamm has been telling her for two years that the silhouette would be going up soon, but it didn't happen until last Christmas.

Erik Higgins, 203 Via Pasqual, expressed his willingness to work with applicant to resolve his concerns, but indicated that a height reduction of 12-18 inches in the entry tower/turret area as mentioned by Mr. Hamm, was not sufficient.

Responding to neighbors' comments, Mr. Hamm stated that he had no objection if Mr. Albrecht would like to hire an independent surveyor to verify the height of the project. He explained that the bulk of the project was located toward the front of the property to protect neighbors' view corridors and while the structure will be closer to the street than the existing home, it will not be built out to the maximum because approximately 70 square feet could be added while still meeting setback requirements. He reported that he started on the project a few years ago, but the silhouette was delayed because of revisions and apologized to Ms. Everest for any confusion. He expressed his willingness to work with Mr. Higgins on the height of the entry tower/turret.

Commissioner Weideman noted that in order to exceed an FAR (floor area ratio) of 0.50, the applicant is required to show that being confined to this limit would constitute an unreasonable hardship, and related his belief that the response to the question of hardship in the application (Item 3a) does not really address this issue.

Mr. Hamm stated that he had hoped that the Commission would agree that placing a significant portion of the house underground mitigates the impact of the extra square footage. He reported that his client has a large family and would like to build a large home for his retirement and noted that other homes throughout the neighborhood have been approved with FARs higher than 0.50.

Commissioner Weideman related his observation that the silhouette looks very tall and massive when viewed from the sidewalk on Via Mesa Grande and that the entryway and turret seem out of harmony with the neighborhood.

Mr. Hamm explained that the garage was recessed with the second floor cantilevered above it in order to reduce the "canyon effect" and he tried to minimize the structure's mass with architectural features such as projections and arches.

Commissioner Gibson questioned whether the current owner was trying to sell the property since Ms. Everest mentioned that it has been on the market for several years.

Mr. Hamm stated that the current owner intends to live in the new house and the property is not up for sale. He explained that the owner recently learned that the property was never taken off the MLS (Multiple Listing Service) after it was sold and this oversight has been corrected.

In response to Chairperson Skoll's inquiry, Mr. Hamm confirmed that he would like to continue the hearing to try to resolve concerns about the project and requested direction from the Commission.

Commissioner Rizzo stated that he would like Mr. Hamm to work with neighbors on lowering the height of the entry tower/turret and then adjust the silhouette to reflect the changes so everyone involved would know what the impact would be.

Commissioner D'Anjou encouraged Mr. Hamm to work with neighbors, stating that while it might not be possible to satisfy everyone, she felt there was room for compromise.

Commissioner Weideman recommended that Mr. Hamm reduce the FAR or make a better case for the proposed FAR of 0.59; that something be done to lessen the impact on Ms. Everest's view; that the entry tower/turret be lowered and made a little less massive; and that the front setback be increased since there is no other house so close to the sidewalk in that particular area.

Commissioner Polcari indicated that he also felt that the project needs to be scaled back a little bit because it seems out of character with the homes around it and that the impact on neighbors' views should be addressed.

Chairperson Skoll expressed that hope that Mr. Hamm and the neighbors would be able to work together and come to a reasonable conclusion.

Mr. Hamm requested more input regarding Ms. Everest's property.

Commissioner Weideman reported that he was the only Commissioner to visit the site and he observed impacts to white water views while seated at the large picture window in the living room and standing on the deck.

**MOTION:** Commissioner Weideman moved to continue the hearing to April 4, 2012. The motion was seconded by Commissioner Polcari and passed by unanimous roll call vote (absent Commissioner Uchima).

Planning Manager Lodan announced that the hearing would not be re-advertised because it was continued to a date certain.

*Commissioner Uchima returned to the dais*

**12B. CUP12-00001, DIV12-00001, DVP12-00001: ALEX J. ROSE (CONTINENTAL DEVELOPMENT CORPORATION)**

Planning Commission consideration for approval of a Conditional Use Permit and a Development Permit to allow the construction of a new multi-tenant commercial center, the operation of two restaurants with on-site beer and wine service, and the operation of a drive-through lane for a bank, in conjunction with a Division of Lot for a Lot Line Adjustment on property located in the HBCSP-MP Zone at 23248 Hawthorne Boulevard.

**Recommendation:** Approval.

Planning Associate Gomez introduced the request and noted supplemental material available at the meeting consisting of revised conditions of approval.

Commissioner Weideman noted that the last time a project was approved for this site there was a lot of discussion about easements with neighboring properties, and Planning Manager Lodan confirmed that reciprocal easements consistent with the previous approval have been incorporated into this project.

Robert Tarnofsky, Continental Development Corporation, voiced his agreement with the recommended conditions of approval as amended in the supplemental material. He noted that the existing two-story commercial building will be demolished and replaced with two smaller one-story buildings totaling approximately 8,900 square feet.

In response to Chairperson Skoll's inquiry Mr. Tarnofsky stated that he was not authorized to release the name of potential tenants, however with regard to the restaurants, one is a nationwide chain that sells hamburgers and fries and the other is a more regional operator that specializes in chicken wraps and salads.

Commissioner Weideman questioned whether the parking arrangement provides enough flexibility should there be changes in the future. Mr. Tarnofsky reported that the bank is expected to have a long-term lease and the only change he could foresee that would impact parking would be if there was a full-service, sit-down restaurant, in which case the applicant would have to come back to the Commission for approval.

Chairperson Skoll indicated that he favored adding more handicapped parking because he did not feel three spaces were enough for this site even though it meets Code requirements.

Planning Manager Lodan confirmed that it would be possible to add an additional handicapped parking stall because the parking exceeds requirements, and Chairperson Skoll recommended that it be located near the bank.

**MOTION:** Commissioner Polcari moved to close the public hearing. The motion was seconded by Commissioner Uchima and passed by unanimous voice vote.

**MOTION:** Commissioner Weideman moved for the approval of CUP12-00001, DIV12-00001, and DVP12-00001, as conditioned, including all findings of fact set forth by staff with the following modification:

**Add**

- That one handicapped parking stall shall be added near the handicapped walkway to the bank.

The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

Planning Associate Gomez read aloud the number and title of Planning Commission Resolution Nos. 12-008, 12-009 and 12-010.

**MOTION:** Commissioner Weideman moved for the approval of Planning Commission Resolution Nos. 12-008, 12-009 and 12-010 as amended. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

**12C. CUP12-00002, DIV12-00002: KEN MAGARGEE – HCBI TORRANCE, LLC (SA PROPERTIES LP)**

Planning Commission consideration from approval of a Conditional Use Permit to allow the construction and operation of an assisted living facility and skilled nursing facility, in conjunction with a Division of Lot to consolidate three parcels into one on property located in the C-3 Zone at 3210 Sepulveda Boulevard.

**Recommendation:** Approval.

Planning Associate Gomez introduced the request and noted supplemental material available at the meeting consisting of seven additional conditions of approval from the Engineering Division.

Chairperson Skoll questioned whether the infrastructure can handle the added load from this facility and if changes are needed, who will pay for them.

Planning Manager Lodan advised that there are public improvements that might have to be done, depending on the results of studies and this upgrading of facilities is the responsibility of the developer. He noted that the project was reviewed by various City departments, including Public Works and the Fire Department, and there was no indication that there were any issues regarding the City's ability to provide service.

Chairperson Skoll indicated that he was most concerned about the impact on paramedic services.

Sr. Fire Prevention Officer Kazandjian stated that it's hard to say what the impact on paramedic services will be and this is something that will have to be evaluated as more of these facilities are built in Torrance. He noted that access was initially a concern for the Fire Department, but this issue has been resolved.

Douglas Brawn, Health Care Building Investment (HCBI), LLC, applicant, voiced his agreement with the recommended conditions approval, including those in the supplemental material. He reported that the facility will be operated by Encompass Health Services.

Commissioner Uchima asked about financing for the project, noting that another assisted living facility encountered financial difficulties and remains a huge eyesore. Mr. Brawn reported that HCBI is a small local group that is very well capitalized and no construction will begin until all financing is in place.

Asked about outreach efforts, Mr. Brawn reported that a meeting to discuss the project was held at New Horizons with approximately 30 residents in attendance and the feedback was very positive. He noted that there was a request that the mature trees along the south side of the property be retained and the developer has agreed to do this. He advised that the project was also presented to the medical condominiums to the west and the owners felt it would increase the value of their property and their only concern was potential costs associated with the cross access easement.

In response to Commissioner Gibson's inquiry, Mr. Brawn confirmed that there will be parking available for residents, noting that the Code requires 40 parking spaces for the project, but they did not think this was sufficient so they doubled it to 80 spaces. He reported that the room rates have not been set, but will be competitive and explained that rooms are typically leased on a month-to-month basis, with no long term leases.

Noting that developers did not find the site to be economically feasible for a retail development due to the lack of a traffic signal, Commissioner Gibson asked if there was a need for a traffic signal at this location.

Planning Manager Lodan advised that the Transportation Division did not recommend a traffic signal at this location and the proximity to the signal at Madrona would be problematic. He explained that retailers typically want easy access from both directions so the site was not desirable for this type of development.

Commissioner Rizzo expressed concerns about the parking, relating his experience that there is inadequate guest parking at Pacific Inn on Torrance Boulevard so visitors end up parking in nearby parking lots or on the street.

Mr. Brawn explained that the developer was also concerned about parking since there is no street parking available so the operator was consulted and that's how they arrived at the decision to double the required parking.

Chairperson Skoll questioned whether laundry facilities were adequate, noting that this topic recently came up in connection with another assisted living facility.

Mr. Brawn stated that they relied on the operator when designing the laundry facilities and he was confident that they were more than adequate.

Conard Van Zee, Pacific Village, expressed concerns that the project could hinder Fire Department access to units on the west side of the complex in the event of a fire. He also expressed concerns about the increased demand on paramedic services since they are already swamped by calls to New Horizons and other senior developments in the area. He reported that traffic frequently backs up on Sepulveda from Maple to beyond his driveway and he sometimes must wait 10-15 minutes to exit. He voiced his opinion that nothing should be built on this site until a traffic study has been completed.

In response to Commissioner Weideman's inquiry, Planning Manager Lodan reported that the proposed assisted living/skilled nursing facility would generate significantly less traffic than the sports bar/restaurant formerly on this site, noting that a retail development or medical office use would also generate significantly more traffic.

Sr. Fire Prevention Officer Kazandjian explained that just because Mr. Van Zee may have seen fire fighters using the adjacent parking lot to access the west side of his complex during training exercises does not mean that the complex's safety will be compromised if the area in the parking lot is not available. He indicated that he could not estimate how many paramedic calls the facility would generate because some senior facilities have a high volume of calls while others do not.

David Chu, owner of China Tea House, 3314 Sepulveda Boulevard, noted that his restaurant has been at this location for a long time; related his observation that there has been a great increase in ambulance traffic in the area; and expressed concerns that the proposed facility will further strain paramedic services. He indicated that he was also concerned about the adequacy of the parking and fears that the facility will impact the quality of life. He noted that Torrance prides itself on being a balanced city and urged the Commission to preserve this balance.

Peter Donnellan, 5404 Palos Verdes Boulevard, voiced support for the project, citing the need for assisted living facilities to accommodate the City's aging population. He reported that he is familiar with the developer's work and believes this will be a worthwhile project. He expressed confidence in City staff's judgment with regard to infrastructure improvements.

Commissioner Weideman expressed concerns that people from the medical offices to the west might start parking on the subject property due to the cross access easement, noting that there has been a history of parking problems at this location.

Planning Manager Lodan advised that since it is private property, the property owner can prohibit off-site people from parking in the lot, however, staff has encouraged the applicant to explore the possibility of allowing this development to use some of the surplus parking since currently some of the tenant space is limited to general office use because there is not sufficient parking for medical offices.



Mary Van Zee, Pacific Village, stated that her main concern was the traffic that would be generated by the project because she did not see how Sepulveda could handle all the cars going in and out of the facility 24/7. She related her belief that the developer should have discussed the project with residents of Pacific Village since it is closer to the project than New Horizons.

Mr. Brawn stated that multiple attempts were made to contact someone at Pacific Village, noting that he personally rang the bell for the office manager on three separate occasions, with no response, and phone numbers for the complex found on-line had been disconnected. With regard to traffic impact, he reported that based on past experience, less than 10% of the residents of the assisted living facility would have a car and no one in the skilled nursing facility would be driving because this is a transitional facility where people go to recover from debilitating illnesses or injuries, such as a broken hip. He pointed out that the project will generate significantly less traffic than the National Sports Bar and Grill.

Mr. Brawn indicated that they would be open to the idea of leasing parking spaces to the office development to the west as long as sufficient parking is maintained for the project. He clarified that there is no parking shortage at the office development and the issue under contention was related to the developer's desire to recalculate the square footage of the buildings in order to sell more medical office space. With regard to the demand on paramedic services, he stated that the developer worked closely with staff to design a project that fits well in the City and did not try to maximize the density or FAR.

**MOTION:** Commissioner Polcari moved to close the public hearing. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote.

Indicating that he was inclined to support the project, Commissioner Weideman noted that the traffic study confirms that it would generate less traffic and the parking is double the parking requirement and these were his two main concerns. He recalled that owners in the medical office development to the west were very concerned about parking when the square footage issue was heard by the Commission.

Commissioner Polcari related his belief that the proposed project was a good use for this property, noting that the existing building was built in the 1960s and the site has been on a gradual decline.

Commissioner Gibson indicated that she was greatly concerned about the project's impact on traffic because Sepulveda Boulevard is already heavily congested.

Expressing support for the project, Commissioner D'Anjou voiced her opinion that it be a nice addition to the City. She stated that she did not believe the project would negatively impact traffic, noting that assisted living facilities typically offer shuttle service for residents, which would further decrease the traffic impact.

Commissioner Uchima also expressed support for the project. He stated that it was unfortunate that the operator was not present because he would have liked more detailed information about the operation, but it was likely that a shuttle service would be provided so it would be competitive with similar facilities. He related his belief that even

with visitors, staff and medical personnel, the project would not generate near as much traffic as a restaurant, noting that the Velvet Turtle was originally on this site.

Chairperson Skoll stated that he thought the proposed project was a great use for this site and he could not think of any other use with a facility of this size that would generate less traffic. He suggested that if Commissioners still have concerns, the project could be brought back to the Commission in 6-12 months to review the traffic and parking situation to see if any changes need to be made or staff could be directed to do this. He indicated that he had serious concerns about the potential demand on paramedic services and related his belief that the Commission needs to send a loud and clear message that this issue needs to be examined. He commended the applicant for making an effort to discuss the project with neighbors.

Planning Manager Lodan noted that new developments are required to pay Development Impact Fees, which include fees for undergrounding utilities and storm drain improvements, as well as public safety.

Commissioner Weideman asked if the Development Impact Fees pay the entire cost of improvements associated with the site, and Planning Manager Lodan reported that the fees pay a portion of the cost.

**MOTION:** Commissioner Polcari moved to approve CUP12-00002 and DIV12-00002 as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner D'Anjou and passed by a 6-1 roll vote, with Commissioner Gibson dissenting.

Planning Associate Gomez read aloud the number and title of Planning Commission Resolution Nos. 12-011 and 12-012.

**MOTION:** Commissioner Polcari moved for the approval of Planning Commission Resolution Nos. 12-011 and 12-012. The motion was seconded by Commissioner D'Anjou and passed by a 6-1 roll call vote, with Commissioner Gibson dissenting.

13. **RESOLUTIONS** – None.

14. **PUBLIC WORKSHOP ITEMS** – None.

15. **MISCELLANEOUS ITEMS** – None.

16. **REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS** – None.

17. **LIST OF TENTATIVE PLANNING COMMISSION CASES**

Planning Manager Lodan reviewed the agenda for the March 7, 2012 Planning Commission meeting.

18. **ORAL COMMUNICATIONS #2**

18A. Referring to earlier comments about Development Impact Fees, Commissioner Rizzo clarified that it is City policy that they not be used to fund the on-going cost of personnel.

**18B.** Commissioner Weideman reported that he recently had occasion to use the new One-Stop Permit Center and found it to be very efficient.

**18C.** Commissioner Uchima asked if a get together has been planned to honor former Commissioner Harvey Horwich, and Planning Manager Lodan reported that a date has not been set.

**18D.** Chairperson Skoll asked about the status of the new Walmart, and Planning Manager Lodan that the store would likely be open in late summer or early fall.

**18E.** Chairperson Skoll commented positively on tonight's meeting.

**19. ADJOURNMENT**

At 9:23 p.m., the meeting was adjourned to Wednesday, March 7, 2012 at 7:00 p.m.

Approved as Amended April 4, 2012 s/ Sue Herbers, City Clerk
--